

By-law No. PD-007: RESPECTING MOBILE HOME PARKS

The Council of the Municipality of Grand Bay-Westfield under authority vested in it by Sections 10 and 11 of the *Local Governance Act*, SNB 2017, c.18 and amendments thereto enacts as follows:

SHORT TITLE

1. This By-law may be cited as the Mobile Home Parks By-law.

DEFINITIONS

2. In this By-law, unless the context otherwise requires:
 - a) **ADVISORY COMMITTEE** means the Planning Advisory Committee established for the Town of Grand Bay-Westfield under Section 3 of the *Community Planning Act*, SNB 2017, c.19;
 - b) **BUILDING INSPECTOR** means the Building Inspector appointed by the Town of Grand Bay-Westfield;
 - c) **COUNCIL** means the mayor and councillors of the Town of Grand Bay-Westfield;
 - d) **LICENCE** means a licence issued under this By-law or the prior By-law that has not expired or been revoked;
 - e) **MOBILE HOME PARK** means a parcel of land, not in a provincial park,
 - (i) intended as the location for residential purposes of two or more mobile homes; or
 - (ii) upon which two or more mobile homes are located for residential purposes;
 - f) **MOBILE HOME** means a prefabricated structure, built in a factory on a permanently attached chassis before being transported to site, whether by being towed or on a trailer, and used as permanent homes, whether referred to as a mobile home, a modular home, a mini-home, a tiny home or a micro home; and

- g) **PRIOR BY-LAW** means the Town of Grand Bay-Westfield Respecting Mobile Home Parks, enacted 10 October 2000, and any amendments thereto.

LICENCE APPLICATION

- 3.** (1) No person shall establish, operate or maintain a mobile home park unless such person holds a valid licence.
- (2) The owner or operator of any mobile home park in existence on the coming into force of this By-law shall within one (1) year thereafter make application to the Building Inspector for a valid licence.
- (3) An application for a licence under subsection (1) or (2) shall be on a form prescribed by Council and signed by the applicant, and shall set out:
- (a) the name and address of the applicant;
 - (b) the location of the property on which the mobile home park is situate;
 - (c) a legal description of the property on which the mobile home park is situate, by reference to one of the following:
 - (i) a metes and bounds description of the property;
 - (ii) a reference to the property by reference to a registered subdivision plan on which the property is uniquely identified, the particulars thereof and the information by which the property is so uniquely identified; or
 - (iii) if a description of the property has been associated with a parcel identifier assigned to the property in accordance with the *Land Titles Act*, SNB 1981, c.L-1.1, the parcel identifier;
 - (d) the plans and dimensions of all buildings and other improvements constructed within the mobile home park; and
 - (e) such other information as may be requested by the Building Inspector.
- (4) Such application shall have attached thereto a complete Real Property Survey Report of the mobile home park disclosing compliance with the requirements of the By-law.

ISSUING OF A LICENCE

4. (1) The Building Inspector shall issue a licence if:
 - (a) an application under section 3 has been received;
 - (b) the applicable fee for such licence listed in "Schedule A – Licence Fees" has been paid by the applicant; and
 - (c) the Building Inspector is satisfied that the requirements of this By-law have been or will be complied with.
- (2) A licence shall be valid until December 31st of the year in which the licence is issued, but may be renewed by the Building Inspector, in accordance with the By-law.
- (3) An application for renewal of a licence under subsection 4(2) shall be in a form prescribed by the Council and signed by the applicant, and contain such information as set out in section 3 as determined by Council. Prior to the expiration of a licence, a renewal of the licence may be issued and be valid until December 31st the following year.

CONDITIONS OF A LICENCE

5. No licence shall be issued for a new mobile home park unless in the opinion of Council:
 - (1) the land is physically suited for the purpose of a mobile home park;
 - (2) the land is not subject to the possibility of subsidence, flood or erosion;
 - (3) the mobile home park will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area;
 - (4) primary access to the mobile home park is made with due regard to traffic needs and local environmental quality, by the owner;
 - (5) it is separated from adjoining properties by a natural or artificial barrier;

- (6) no building or other structure within a mobile home park and no mobile home site is closer to any highway, street, road or right of way than fifteen metres (15m) and;
- (7) no building or other structure and no mobile home site is closer to the mobile home park boundaries than seven and one half metres (7.5m), and this set back area be maintained at all times free of any obstruction, natural or artificial, other than is required under subsection (6).

EXPANSION PERMIT

- 6. (1) Subject to subsections (2) and (4), a licence issued under Section 4 shall be valid only for the carrying out of such plans as have been submitted pursuant to subsection (3) of section 3.
- (2) Subject to section 4, the Building Inspector shall, upon application by a licensee and being satisfied that the additions or expansions will be in conformity with the provisions of this regulation, issue an expansion permit authorizing addition to, or expansion of, the facilities authorized under a valid licence.
- (3) An application for an expansion permit under subsection (2) shall be in a form prescribed by the Council, signed by the applicant as set out In section 3.
- 4) Where an expansion permit has been issued pursuant to subsection (2), the licence issued under section 4 shall be deemed to have authorized the expansion permitted by such permit.

MOBILE HOME PARK REQUIREMENTS

- 7. A mobile home park shall conform to the following requirements:
 - (1) the mobile home park shall be located on a well-drained site, properly graded to insure a rapid drainage and freedom from stagnant pools of

water, and shall be separated from adjoining properties by a natural or artificial barrier;

- (2) the mobile home park shall have a minimum area of three hectares (3ha) and designed to accommodate not less than twenty (20) mobile homes;
- (3) no dimension of the mobile home park shall be less than ninety metres (90m) and the average depth to average width ratio shall not exceed 6 to 1;
- (4) a mobile home site shall be provided, clearly defined with a minimum area of four hundred and sixty five square metres (465m²) and a minimum frontage of 15 metres (15m), for each mobile home;
- (5) mobile homes shall be located on each mobile home site so as to be not less than 6 metres (6m) from an internal roadway and there shall be at least seven and one half metres (7.5m) clearance between mobile homes, provided however, that when positioned end to end, the clearance between mobile homes will not be less than four and one half metres (4.5m);
- (6) all mobile home sites shall abut on an internal roadway, which shall have unobstructed access to a public street or highway;
- (7) an internal roadway shall have a minimum right of way width of twelve metres (12m), with a usable surface for vehicular traffic of at least six metres (6m), constructed to the minimum standards for construction of subdivision roads and streets as set out by the Planning Branch, Department of Transportation and Infrastructure for the Province of New Brunswick;
- (8) an electrical outlet supplying at least 110 volts shall be provided for each mobile home site; and
- (9) not less than ten (10) percent of the gross area of a mobile home park shall be set aside for recreational use, generally provided in a central location and including suitable landscaping, all to be approved by the Planning Advisory Committee.

MOBILE HOME BUILDING REQUIREMENTS

8. (1) The minimum dimensions of a mobile home shall be 12 metres (12m) in length and three metres (3m) in width and shall be structurally sound and otherwise fit for human occupancy.
- (2) No building or structure shall be attached to a mobile home except as hereinafter permitted under this section and with an appropriate Building Permit.
- (3) No building or structure shall be constructed or placed in any mobile home park except a building or structure permitted by this By-law and a structure to house an office.
- (4) The prohibition herein against any addition or accessory structures to a mobile home on site shall not apply to a canopy or awning designed for use with such mobile home or to any expansion unit or accessory structure specifically manufactured for such mobile home, nor to patios, porches and skirtings designed and erected so as to harmonize with the mobile home.
- (5) All mobile homes shall be provided with durable skirtings to screen the view of the undercarriage.

WATER SUPPLY

9. (1) A supply of pure water for drinking and domestic purposes shall be supplied to meet the requirements of the mobile home park.
- (2) Each mobile home site or service building shall be provided with a water service connection.

SEWAGE DISPOSAL

10. (1) Water and Sewage waste from mobile homes, service buildings, or other buildings within the mobile home park shall be discharged into:
- (a) a public sewer system; or

- (b) a private sewer and disposal plant or other system approved by the Department of Health for the Province of New Brunswick.
- (2) Each mobile home site shall be provided with a trapped sewer at least one hundred millimetres (100 mm) in diameter, which shall be connected to receive the water and sewage waste from the mobile homes, service buildings, or other buildings within the mobile home park.

GARBAGE RECEPTACLES

- 11. (1) Each mobile home site shall have at least one tightly covered metal or plastic garbage can adequate to permit disposal of all garbage and rubbish.
- (2) Garbage cans shall be kept in a sanitary condition at all times.
- (3) Garbage and rubbish shall be disposed of as frequently as may be necessary to ensure that garbage cans shall not overflow.

FIRE PROTECTION

- 12. (1) No open fires shall be permitted at any place which would endanger life and property, and no fires shall be left unattended at any place.

REPEAL

- 13. By-law No. 50, a By-law of the Town of Grand Bay-Westfield Respecting Mobile Home Parks, enacted 10 October 2000, and any amendments thereto, is hereby repealed.

TRANSITION

- 14. A licence issued under the prior By-law that was valid immediately prior to the coming into force of this By-law shall continue in effect on the terms and conditions thereof until the expiry date thereof, in each case determined as if the prior By-law had not been repealed.

READ A FIRST TIME by summary this 13th day of March, 2023.

READ A SECOND TIME by title this 13th day of March, 2023.

READ A THIRD TIME in its entirety and ENACTED on this ____ day of _____, 2023.

This By-law comes into force on the date of final passing thereof.

SIGNED AND APPROVED this ____ day of _____, 2023.

John Enns-Wind
CAO / Clerk

Brittany Merrifield
Mayor

Seal

SCHEDULE "A" – LICENCE FEES

Fee	Amount
The fee for a licence, and for any renewal thereof	\$100.00